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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/715,752	11/17/2000	Sanjay S. Gadkari	INTL-0478-US (P10026)	6968
21906	7590	11/01/2006	EXAMINER	
TROP PRUNER & HU, PC 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631			TRUONG, LAN DAI T	
		ART UNIT	PAPER NUMBER	
		2152		

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/715,752	GADKARI, SANJAY S.	
	Examiner	Art Unit	
	Lan-Dai Thi Truong	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 14 August 2006.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-28 is/are pending in the application.
 4a) Of the above claim(s) 4,5,14,15 and 22 is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-3,6-13,16-21 and 23-28 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 17 November 2000 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

1. This action is response to communications: application, filed 11/17/2000; amendment filed 08/14/2006. Claims 1-28 are pending; claim 1, 11 and 21 are amended; claim 4-5, 14-15 and 22 are canceled
2. The applicant's arguments filed on 08/14/2006 have fully considered but they are moot in view with new ground for rejection

Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or descry bed as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 6-8, 10-21, 23-28 are rejected under 35 U.S.C 103(a) as being unpatentable over Karft et al. (U.S. 6,112,225) in view of Zack et al. (U.S. 2002/0124041) and further in view of Doney et al. (U.S. 2002/0122077)

Regarding to claims 1, 11 and 21:

Karft discloses the invention substantially as claimed, including a method, which can be implemented in a computer hardware or software code for assigning subtasks to network devices, comprising:

Assigning, from a server, distributed computing tasks to a network of processor-based client devices; the client device assigned to the task: Karft discloses communication between “a coordinating computer” which is equivalent to “a server” and “subscribing computers” which is equivalent to “processor-based client devices;” wherein the coordinating computer divides a task into multiple subtasks, and assigns each subtask to each subscribing computer for executing:

(abstract, lines 1-26)

However, Karft does not explicitly disclose estimating, at said server, based on a client device's resources and a time when the client device to complete assigned task; determining whether the task is completed after said time

In analogous art, Zack discloses “the processing server” which is equivalent to “a server” estimates completed time for each of task processed by processing units; the processing server monitors to determine if the task shall be completed in the given period time assigned based upon it's available resources: (abstract; [0002]-[0003]; [0019]-[0020]; [0056]; [0058]-[0059])

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Zack's ideas of estimating completed time for each of task processed by processing units with Karft's system in order to be able to complete a task in the given period time, see ([0003])

However, Karft-Zack does not explicitly discloses determining why the task was not completed

In analogous art, Doney discloses method of a hierarchically structurable group of tasks. The Doney's organizational representation display shows process results of tasks if the task is

completed or not; if one of tasks does not complete normally, the diagnostic information/ discovery errors is displays: (abstract; [0006], lines 37-39; [0028]; [0038]-[0039]; [0041])

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Doney's ideas of monitoring if task is completed normally or not and displaying diagnostic messages/ discovery errors to indicate the causes of errors with Karft-Zack's system in order provide an efficient tasks management system, see ([0005]-[0006])

Regarding to claims 2, 12 and 24:

In addition to rejection in claims 1, 11 and 21, Karft – Zack- Doney further discloses establishing a persistent connection between at least one of said devices and a server: Karft discloses communication between the coordinating computer and the subscribing computers: (abstract, lines 1-26)

Regarding to claims 3, 13:

In addition to rejection in claims 1, and 11, Karft – Zack- Doney further discloses subdividing a distributed computing job into tasks and assigning each of said tasks to a different device: Karft discloses the coordinating computer divides a task into multiple subtasks, and assigns each subtask to each subscribing computer for executing: (abstract, lines 1-26)

Regarding to claims 10 and 20:

In addition to rejection in claims 1, and 11, Karft – Zack- Doney further discloses the coordinating computer receives the task results from subscribing computers: Karft discloses returning results from subscribing computers to the coordinating computer: abstract, lines 1-26)

Regarding to claims 6, 16, and 27:

In addition to rejection in claims 1, and 11, Karft – Zack- Doney further discloses automatically request said results from said task after the passage of said time estimate: Karft discloses returning results from subscribing computers to the coordinating computer: (abstract, lines 1-26)

Regarding to claim 23:

In addition to rejection in claim 21, Karft – Zack- Doney further discloses said server is a system management server: Karft discloses “coordinating server” which is shared functionality with “a system management server.” (abstract, lines 1-26)

Regarding to claim 7, 17 and 28:

In addition to rejection in claims 1, 11 and 26, Karft – Zack- Doney further discloses automatically requesting said results after the passage of said time estimate: (Karft: abstract: lines 1-26)

Regarding to claims 8 and 18:

In addition to rejection in claims 1, 11, Karft – Zack- Doney further includes software on a device: Karft discloses “software module” which is equivalent to “software”: (column 4, lines 48-60)

Regarding to claims 25-26:

Those claims are rejected under rationale of claim 21

Claims 9 and 19 are rejected under 35 U.S.C 103(a) as being un-patentable over Karft-Zack- Doney in view of Kisor (U.S. 6,098,091)

Regarding to claims 9 and 19:

Art Unit: 2152

The method of claim 1 including receiving the results of said task from a device and providing an acknowledgement to said device when the results are received correctly, (Kisor discloses sending acknowledge code to indicate a success receiving: [0079])

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Kisor's ideas of estimating completed time for each of task processed by processing units with Karft-Zack's system in order to be able to process synchronized data transferring between communication systems, see ([0079])

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "MANAGING A NETWORK OF CONSUMER-USE COMPUTING DEVICES": 6578005; 6,11,2243; 6249836; 5918049

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2152

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

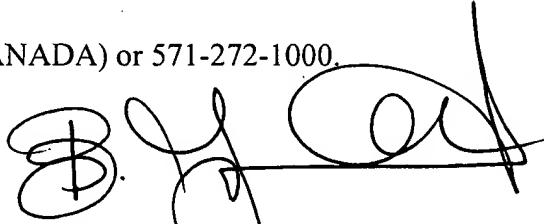
Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan-Dai Thi Truong whose telephone number is 571-272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

10/24/2006



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER